



Montana Fish, Wildlife & Parks

1400 South 19th Avenue
Bozeman, MT 59718

September 25, 2017

To: Governor's Office, Sheena Wilson, State Capitol, Room 204, P.O. Box 200801, Helena, MT 59620-0801
Environmental Quality Council, State Capitol, Room 106, P.O. Box 201704, Helena, MT 59620-1704
Dept. of Environmental Quality, Metcalf Building, P.O. Box 200901, Helena, MT 59620-0901
Dept. of Natural Resources & Conservation, P.O. Box 201601, Helena, MT 59620-1601
Montana Fish, Wildlife & Parks:

Director's Office	Parks Division	Lands Section	FWP Commissioners
Fisheries Division	Legal Unit	Wildlife Division	Design & Construction

MT Historical Society, State Historic Preservation Office, P.O. Box 201202, Helena, MT 59620-1202
MT State Parks Association, P.O. Box 699, Billings, MT 59103
MT State Library, 1515 E. Sixth Ave., P.O. Box 201800, Helena, MT 59620
James Jensen, Montana Environmental Information Center, P.O. Box 1184, Helena, MT 59624
Janet Ellis, Montana Audubon Council, P.O. Box 595, Helena, MT 59624
Robert L. Sanders, Ducks Unlimited, P.O. Box 183, Elliston, MT 59728
Abby Dresser, Ducks Unlimited, 240 Jackson Lane, Belgrade, MT 59714
George Ochenski, P.O. Box 689, Helena, MT 59624
Jerry DiMarco, P.O. Box 1571, Bozeman, MT 59771
Montana Wildlife Federation, P.O. Box 1175, Helena, MT 59624
Wayne Hurst, P.O. Box 728, Libby, MT 59923
Jack Jones, 3014 Irene St., Butte, MT 59701
Jim Hoschoeur, 19 North 10th Ave. #5, Bozeman, MT 59715
Jeff Sturm, 3445 York Rd., Helena, MT 59602
Gallatin Wildlife Association, P.O. Box 5276, Bozeman, MT 59717
Broadwater County Commissioners, 515 Broadway, Townsend, MT 59644

Ladies and Gentlemen:

The enclosed Decision Notice is for the proposed renewal of six existing agricultural lease and one existing bee yard (apiary) lease on the Canyon Ferry Wildlife Management Area (CFWMA) for five years. Of the six agricultural leases, five are proposed to be cash leases, and one lease is proposed to be a payment in-kind lease (payment is in services rendered in lieu of a cash lease payment). Lessees were given a choice in regards to the type of lease that they wanted for the 5-year lease period. The agricultural leases, if approved by the Montana Fish & Wildlife Commission at its October 2017 meeting, would be valid from March 1, 2018 – February 28, 2023.

Montana Fish, Wildlife & Parks (MFWP) is required by the Montana Environmental Policy Act (MEPA) to assess significant potential impacts of a proposed action to the human and physical environment. In compliance with MEPA, an Environmental Assessment (EA) was completed for the proposed project by MFWP and released for public comment on August 24, 2017. Public comments on the proposed project were taken through September 22, 2017. Copies of the EA were mailed to potentially interested individuals and groups; legal notices were printed in the Bozeman Chronicle,

Helena Independent Record, and the Broadwater County Reporter. The Environmental Assessment was also posted on the FWP webpage: <http://fwp.mt.gov/publicnotices/>. One individual commented on the EA. A summary of the individual's comments and the Department's response is found in the Decision Notice.

Based on the Environmental Assessment and the results of the public comment process, it is my decision to approve the Proposed Action (Alternative B) of renewing the six existing agricultural (farming) leases and the one existing bee yard lease for 5 years. Renewing the six existing agricultural leases and the one existing bee yard (apiary) lease on the CFWMA will provide many positive benefits to both wildlife and the community. The agricultural leases demonstrate that sustainable agricultural production can co-exist with wildlife and even benefit many wildlife species. Managing a portion of the CFWMA as agricultural leases provides positive benefits (winter food plot set-asides, bird nesting cover for most of the nesting season, irrigation of existing shelterbelts which provide wildlife cover, potential for lessees to do other habitat improvement work) for a variety of wildlife species that utilize the CFWMA, and it also helps maintain a good relationship between MFWP and the local agricultural community and the local citizenry of Townsend as a whole.

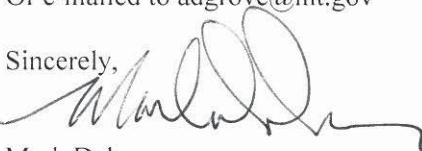
The analysis did not reveal any significant impacts to the human or physical environment as a result of the project. I therefore conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.

Questions regarding this Decision Notice should be mailed to:

Attention: Adam Grove
Montana Fish, Wildlife and Parks
P.O. Box 998
Townsend, MT 59644

Or e-mailed to adgrove@mt.gov

Sincerely,



Mark Deleray
Acting Region Three Supervisor

Attachment



Montana Fish, Wildlife & Parks

**ENVIRONMENTAL ASSESSMENT DECISION NOTICE
for the
Canyon Ferry Wildlife Management Area
Agricultural Lease Renewals
Montana Fish, Wildlife & Parks
Region 3, Bozeman
September 2017**

Preface

The enclosed Decision Notice has been prepared for the renewal of the six existing agricultural (farming) and the one existing bee yard (apiary) lease on the Canyon Ferry Wildlife Management Area. The Canyon Ferry WMA (CFWMA) is administered by the Bureau of Reclamation (BOR) but is managed by Montana Fish, Wildlife & Parks (MFWP) through a management agreement with the Bureau of Reclamation. MFWP would renew the six existing agricultural leases and the one existing bee yard lease for 5 years (March 1, 2018 – February 28, 2023).

The agricultural leases provide food and cover for a host of wildlife species that utilize the CFWMA while also demonstrating that sustainable agricultural production can co-exist with wildlife and even benefit many wildlife species. Wildlife species that utilize the agricultural leases include waterfowl (Canada geese, a large number of duck species, etc), pheasants, white-tailed deer, mule deer, moose, occasionally elk and antelope, sandhill cranes and a variety of other nongame wildlife and bird species.

Of the six farming leases, five are proposed to be cash leases, and one lease is proposed to be a payment in-kind lease (payment is in services rendered in lieu of a cash lease payment). Lessees were given a choice regarding the type of lease. For the cash leases, the per-acre lease rate is determined using averages for private leases as published by the National Ag Statistics Service. Cash leases would require an annual 12.5% set aside of the amount of grain (or alternative crop) acreage, to serve as a winter food plot. FWP would not charge rent for the winter food plot acres. Several of the lessees would also be required to irrigate adjacent shelterbelts at least 3 times during the growing season each year. The value of work performed for FWP is subtracted from the cash lease amount. The total estimated return to MFWP from the cash leases would be approximately \$19,000 for 2018. For the in-kind lease, the lessee would be required to plant 20% of the farmed lease acres annually as a winter food plot in lieu of a cash lease payment. The winter food plot would either be grain or a special game bird food plot mix. The bee yard (apiary) lease would pay a set rate of \$150/year.

Public Process and Comments

MFWP is required by the Montana Environmental Policy Act (MEPA) to assess potential impacts of a proposed action to the human and physical environment. An Environmental Assessment (EA) in compliance with MEPA was completed for the proposed action by MFWP and released for public comment on August 24, 2017.

The following two alternatives were analyzed in the Environmental Assessment:

Alternative A: No Action. Under the No Action Alternative the agricultural leases on the CFWMA would not be renewed.

Alternative B: Proposed Action. MFWP would renew the six existing agricultural leases and the one existing bee yard lease for 5 years.

Public comments were taken for 30 days (through September 22, 2017). Legal notices were printed in the Bozeman Chronicle, Helena Independent Record, and the Broadwater County Reporter. The Environmental Assessment was also posted on the FWP webpage: <http://fwp.mt.gov/publicnotices/>.

One individual submitted comments during the official comment period. The following is a summary of the comments received and FWP's response.

1. Individual felt that several of the farming leases on the CFWMA were being sub-leased and that MFWP had failed to terminate the leases as called for under the Subleasing and Assignment clause of the leases.

MFWP's Response: MFWP, as the Lessor of the leases, investigated these allegations in 2016. It was the conclusion of MFWP's legal staff that no sub-leasing or assignment had taken place and therefore, MFWP had no cause to terminate the leases in question.

2. Individual also seemed to question why leases were not put up for bid instead of just being automatically renewed.

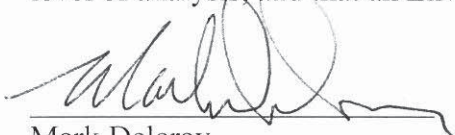
*MFWP's Response: Under Montana Fish, Wildlife & Parks' (MFWP) current land lease-out policy **automatic lease renewals are allowed**. That is MFWP doesn't have to put its leases out for bid whenever they are up for renewal. MFWP's management of our Wildlife Management Areas (WMAs) is about providing productive wildlife habitat, compatible recreation, and being a good neighbor. Lease activities (farming, grazing, etc) on our WMAs are only done as a means to improve the management of the land resource, consistent with Department goals which relate primarily to benefitting wildlife and wildlife habitat. So, if MFWP's lessees are meeting their lease obligations and are paying the required lease fees on time, it is most efficient for MFWP to simply renew those leases and to keep operating with those lessees who are familiar with our operations, processes, and the management and wildlife habitat functions of their respective lease. If at some point in time it is determined by MFWP that a lessee is not meeting their lease obligations, or they are giving up the lease for some reason, then MFWP will make that lease*

available through a competitive bid process that best meets the wildlife objectives of the property.

Decision

It is my decision, based on the Environmental Assessment and the results of the public comment process to approve the Proposed Action (Alternative B) of renewing the six existing agricultural (farming) leases and the one existing bee yard lease for 5 years. Renewing the six existing agricultural leases and the one existing bee yard (apiary) lease on the CFWMA will provide many positive benefits to both wildlife and the community. The agricultural leases demonstrate that sustainable agricultural production can co-exist with wildlife and even benefit many wildlife species. Managing a portion of the CFWMA as agricultural leases provides positive benefits (winter food plot set-asides, bird nesting cover for most of the nesting season, irrigation of existing shelterbelts which provide wildlife cover, potential for lessees to do other habitat improvement work) for a variety of wildlife species that utilize the CFWMA, and it also helps maintain a good relationship between MFWP and the local agricultural community and the local citizenry of Townsend as a whole.

The analysis did not reveal any significant impacts to the human or physical environment as a result of the project. I therefore conclude that the Environmental Assessment is the appropriate level of analysis, and that an Environmental Impact Statement is not required.



Mark Deleray
Acting Region 3 Supervisor
Montana Fish, Wildlife & Parks

9/25/17
Date